

A G E N D A
OCONEE COUNTY COUNCIL MEETING
TUESDAY, AUGUST 4, 1998
7:00 PM
OCONEE COUNTY ADMINISTRATIVE OFFICES
415 S. PINE STREET
WALHALLA, SC

1. Call to Order
2. Invocation
3. Approval of Minutes
4. Consideration of Request to Purchase Drug Dog & Equipment Using Drug Funds
– Sheriff James Singleton
5. Discussion Regarding Status of Seneca Health Clinic – Mr. Bob Craig
- 6(a). Discussion Regarding Progress on Recycling Center for Holly Springs/Long
Creek/Cleveland Area – Mr. Tim O. Hall
- 6(b). Discussion Regarding Growth for Oconee County – Mr. Tim O. Hall
7. Third & Final Reading of Ordinance 98-7, “AN ORDINANCE TO AMEND
ORDINANCE 85-2, OCONEE COUNTY MANUAL OF CENTRALIZED
PURCHASING” as amended
8. Second Reading of Ordinance 98-8, “OCONEE COUNTY ANIMAL CONTROL
ADDING TO AND AMENDING CERTAIN SECTIONS OF ANIMAL
CONTROL ORDINANCE 87-8 AND 88-4”
9. Consideration of Bids for Rubber Tire Wheel Loader – Mr. Jack Hirst, Solid
Waste Director, & Ms. Marianne Dillard, Purchasing Agent
10. Old Business
11. New Business
12. Adjourn

Prior to the Council meeting at 7:00 pm, there will be an open meeting at 6:30 pm in Council Chambers, 415 S. Pine Street, Walhalla, SC for the public to express their concerns to Council. Anyone wishing to speak must sign in and give the subject on which they wish to speak.

MEMBERS, OCONEE COUNTY COUNCIL

Mr. Tim O. Hall, District I Mr. J. Harold Thomas, District II
Mr. Harry R. Hamilton, District III Mrs. Ann H. Hughes, District III
Mr. Charles R. "Chuck" Timms, District V

MINUTES, OCONEE COUNTY COUNCIL MEETING

The regular meeting of the Oconee County Council was held Tuesday, August 4, 1998 at 7:00 pm in Council Chambers with all Council Members except Mrs. Hughes present. The County Attorney was also present for the meeting.

Press:

Members of the press notified (by mail): Journal/Tribune, Keowee Courier, Westminster News, Anderson Independent, Greenville News, WGOG Radio, WSNW Radio, WCCP Radio, WPEK Radio, The Times Upstate, Northland Cablevision, WYFF TV, WSPA TV & WLOS TV.

Members of the press present: Dick Mangrum – WGOG Radio, Brian Fulkerson – Journal/Tribune, Ashton Hester – Keowee Courier, Terry Cregar – Greenville News & Elissa Osebolz – Anderson Independent.

Call to Order:

The meeting was called to order by Supervisor-Chairman Orr who welcomed the guests and media.

Invocation:

The invocation was given by Mr. Hamilton.

Minutes:

Mr. Timms made a motion, seconded by Mr. Thomas, approved 4 – 0 (Mrs. Hughes not present) that the minutes of the July 21, 1998 meeting be adopted as printed.

Health Department:

Mr. Bob Craig addressed Council regarding the Seneca Health Clinic. Upon Mr. Craig's request, Mr. Timms made a motion, seconded by Mr. Hall, approved 4 – 0 (Mrs. Hughes not present) that plans for the clinic be refined to be placed for bids. There is a total of \$830,000 for the construction of this building.

Solid Waste:

Mr. Hirst, Solid Waste Director, informed Council that the green boxes were taken from the Holly Springs/Long Creek/Madison area by reason of there being waste disposed in them that could not be disposed of in a Subtitle D landfill. He further informed Council the residents of these areas could use either the Mountain Rest site or the Toccoa Highway site on a temporary basis.

Following an extensive discussion regarding this matter, Mr. Timms made a motion, seconded by Mr. Hamilton, approved 4 – 0 (Mrs. Hughes not present) that an alternative plan be presented to Council at the next meeting.

Growth in Oconee County:

Mr. Hall also informed Council he had received a synopsis regarding growth in Oconee County which he would like for Council to review with the Planning Commission.

Ordinance 98-7:

Mr. Thomas made a motion, seconded by Mr. Timms, approved 4 – 0 (Mrs. Hughes not present) that Ordinance 98-7, “AN ORDINANCE TO AMEND ORDINANCE 85-2, OCONEE COUNTY MANUAL OF CENTRALIZED PURCHASING “ be adopted on third and final reading.

Ordinance 98-8:

Second Reading of Ordinance 98-8, “OCONEE COUNTY ANIMAL CONTROL ADDING TO AND AMENDING CERTAIN SECTIONS OF ANIMAL CONTROL ORDINANCE 87-8 AND 88-4” was postponed and a meeting of the Oconee County Law Enforcement, Safety, Health, Welfare & Services Committee was scheduled for Tuesday, August 11, 1998 at 4:30 pm to further discuss the ordinance.

Solid Waste (Rubber Tire Loader):

Upon recommendation of Mr. Jack Hirst, Solid Waste Director, & Ms. Marianne Dillard, Purchasing Agent, Mr. Timms made a motion, seconded by Mr. Hamilton, approved 4 – 0 (Mrs. Hughes not present) that the bid for a rubber tire wheel loader be awarded to Mitchell Distributing & Company at a cost of \$134,715.00. (See attached bid sheet)

Newry Committee:

Mr. Timms announced a meeting of the Newry Committee Tuesday, August 11, 1998 at 3:00 pm in Council Chambers, 415 South Pine Street, Walhalla, SC.

Letter of Opposition:

Mr. Hall made a motion, seconded by Mr. Hamilton, approved 4 – 0 (Mrs. Hughes not present) that a letter be sent to the Bureau of Alcohol, Tobacco & Firearms stating the Council's opposition to the old "Piedmont Pantry" being granted a liquor license.

Subdivision Signs:

Mr. Thomas informed those present that the signs to be posted at the entrance of subdivisions informing potential buyers that the roadways are not maintained by the county are on order at a cost of \$615.00

Town Meetings:

Mr. Thomas informed those present there would be four (4) informational meetings regarding the form of government to be placed on the ballot in November. These dates are:

September 17, 1998	7:00 pm	Seneca High School
October 1, 1998	7:00 pm	Salem High School
October 8, 1998	7:00 pm	West-Oak High School
October 15, 1998	7:00 pm	Walhalla, High School

Millennium Ceremony:

Mr. Timms expressed his desire to have a ceremony to mark the beginning of the new millennium.

Priority Listing:

Mr. Thomas made a motion, seconded by Mr. Timms, approved 4 – 0 that \$44,500 be taken from contingency to hire two (2) equipment operator I for the purpose of updating the road paving priority listing.

Update on Various Roadways:

Mr. Hamilton asked for an update on Tall Oak Trail, Greenbriar Subdivision & Elhilow Roadways. After an extensive discussion, Mr. Timms made a motion, seconded by Mr. Hamilton, approved 3 – 0 (Mr. Hall abstaining) that the county initiate court action to determine if Greenbriar will now meet Ordinance 91-9, “AN ORDINANCE ESTABLISHING CRITERIA FOR ACCEPTING ROADS OTHER THAN SUBDIVISION ROADS FOR COUNTY MAINTENANCE AND TO REPEAL ORDINANCE 82-7”.

However, there was no new information regarding Elhilow as Mr. Reidhead had been requested to call Mr. Orr and had never done so.

Use of Council Chambers:

Mr. Timms made a motion, seconded by Mr. Hamilton, approved 4 – 0 (Mrs. Hughes not present) that Northland Cable be given permission to use the Council Chambers October 7, 1998 to host a candidates forum. (See attached request)

Grant:

Mr. Timms made a motion, seconded by Mr. Hall, approved 4 – 0 (Mrs. Hughes not present) that the attached DHEC Grant in the amount of \$50,000 be adopted.

Boy Scout Request:

Mr. Hamilton made a motion, seconded by Mr. Timms, approved 4 – 0 (Mrs. Hughes not present) that a boy scout troop be allowed to use High Falls Park October 23 – 26, 1998.

Executive Session:

Mr. Thomas made a motion, seconded by Mr. Hall, approved 4 – 0 (Mrs. Hughes not present) that Council go into executive session for the purpose of discussing contractual matters, pending litigation, threatened litigation and potential litigation.

Open Session:

(Solid Waste):

When open session resumed, Mr. Hamilton made a motion, seconded by Mr. Thomas, approved 3 – 0 (Mrs. Hughes not present, Mr. Timms left when Council went into executive session) that the Administration be authorized to proceed with obtaining an option for a 5.17 acre tract of land at a cost of \$30,000 for a manned convenience center in the Long Creek area and that a title search and survey be obtained before proceeding with the purchase.

(Other Matters):

Mr. Cain, County Attorney, informed those present that Council had also received a briefing regarding pending litigation concerning acquisition of property adjacent to the airport, potential litigation involving the Sewer Commission and a briefing regarding Rural Fire.

(Rural Fire):

Mr. Thomas made a motion, seconded by Mr. Hall, approved 3 – 0 (Mrs. Hughes not present, Mr. Timms left when Council went into executive session) to ratify the action take by Rural Fire in disciplining a rural fire district for going against policy.

Adjourn:

Adjourn: 10:50 pm

Submitted By:

Opal O. Green
Opal O. Green
Council Clerk

AMENDMENT TO
ORDINANCE #85-2
OCONEE COUNTY
MANUAL FOR CENTRALIZED PURCHASING

The purpose of this amendment is to increase dollar limits allowed for purchases and clarify certain procurement procedures. Unless otherwise changed below, all procedures and/or requirements regarding the Manual for Centralized Purchasing, Ordinance 85-2, shall remain in full force and affect.

A. Informal Bid Procedure shall be changed as follows:

- 1) Routine Small Purchase Orders (RSPO's) shall be increased to \$500.00
- 2) Parts Purchase Orders (PPO's) shall be increased to \$500.
- 3) Single purchase orders totaling \$1,500 or less may be awarded without securing competitive quotations, provided the prices are considered to be fair and reasonable.
- 4) Single purchase orders over \$1,500 but not exceeding \$5,000 shall be awarded after soliciting a minimum of three written or verbal quotations.
- 5) Single purchase orders over \$5,000 but not exceeding \$10,000 shall be awarded after soliciting a minimum of three written quotations.
- 6) Procurement requirements shall not be artificially divided so as to constitute a smaller purchase.

B. The Formal Bid Procedure shall be changed as follows:

- 1) Single purchase orders over \$10,000 shall be awarded by County Council after soliciting pricing by one of the following methods: Competitive Sealed Bid or Competitive Sealed Proposal. However, purchases falling within the category of Sole Source or Emergency Purchases will need to follow procedures governing those categories.

After bid award, the Purchasing Department has the authority, upon approval of the County Supervisor, to issue change orders to the purchase order/contract for up to 20% of the original award amount, provided however, the department has sufficient funds available in their budget.

- 2) Excluded from competitive bids are repairs to equipment performed by the authorized dealer (i.e., replacing a transmission in a loader), additional purchases of equipment to replace or upgrade part of a system (i.e., a computer system for Tax Center) that is under a maintenance agreement, and equipment and/or services purchased through South Carolina State Contracts, South Carolina State or Federal Surplus Property, or from other governmental entities.

C. Insurance and Workmen's Compensation Requirements

Sufficient amounts of general liability insurance and/or workmen's compensation insurance as deemed appropriate by the Purchasing Director may be required at the discretion of the County Supervisor and in accordance with State law from vendors performing work on County property for single procurements under \$10,000. Both general liability insurance and Workmen's compensation insurance shall be required on all procurements over \$10,000, as Well as other types of coverage and/or bonds as deemed appropriate by the Purchasing Director.

D. Centralized Listing of Fixed Assets Inventory (Equipment)

Fixed assets (equipment) inventory items shall be increased to a single item having a value of at least \$1,000 (prior to trade-in allowances) and a life expectancy of one year or more. Ordinarily, but not always, fixed asset items should be purchased from the department's Capital Expenditure line item(s).

It is each department's responsibility to notify the Purchasing Department using the proper form when an item has been received. The Purchasing Department will then issue an Inventory Control Tag and list item on the County's centralized listing. Furthermore, it is the Department's responsibility to notify the Purchasing Department of any changes to their listing and to reconcile said listing periodically as requested by the Purchasing Department.

No department or employee shall have the authority to dispose of any County property of any value. A listing of any "surplus" equipment shall be forwarded to the Purchasing Department when necessary or requested. It shall be the Purchasing Director's decision to determine if said equipment is to be sold through sealed bid or public auction, upon approval of the County Supervisor, or that the item is "scrap" and should be discarded.

These amendments stated above will go into effect upon approval at third and final reading by Oconee County Council.

BIDDER	A.E.Finley & Assoc., Inc.	Mitchell Dist. & Company	L. B. Smith, Inc.	Van Lott, Inc.	Pioneer Mach. , Inc.	Blanchard Machine, Co.	Interstate Equipment, Co.	
Base Bid	120,176.25	122,600.00	129,784.00	131,208.00	133,539.00	139,252.00	142,125.00	
Sales Tax	6,008.81	6,130.00	6,489.20	*6,560.40	6,676.95	6,962.60	7,106.25	
Total	126,185.06	128,730.00	136,273.20	137,768.40	140,215.95	146,214.60	149,231.25	
Make	Samsung	Komatsu	Volvo	John Deere	Fiat Allis	Cat	Kawasaki	
Model	SL150-2	WA320-3L	L90C	624H	FR 140.2	938G	70ZIV -2	
Option 1 - Waste Disposal	4,565.00	3,500.00	4,000.00	6,772.00	3,500.00	4,887.00	3,300.00	
Option 2 - Warranty	3,793.00	2,200.00	4,700.00	1,440.00	2,699.97	Inc. in Bid	4,200.00	
Tax	417.90	285.00	435.00	410.60	310.00	244.35	375.00	
GRAND TOTAL	134,960.96	134,715.00	145,408.20	146,391.00	146,725.92	151,345.95	157,106.25	
				*Mistake on				
				Van Lott's				
				Bid Form				
Delivery	30 Days	8 - 9 Weeks	60 Days	2 - 3 Weeks	30 - 60 Days	80 - 150 Days	8 - 10 Weeks	
Attended Bid Opening: Bob Owens - Pioneer Mach.; Chad Dickert - Van Lott; L. Davis, J. Hirst, M. Dillard, A. Albertson - Oconee County								

BIDDER	A.E.Finley & Assoc., Inc.	Mitchell Dist. & Company	L. B. Smith, Inc.	Van Lott, Inc.	Pioneer Mach. , Inc.	Blanchard Machine, Co.	Interstate Equipment, Co.	
Base Bid	120,176.25	122,600.00	129,784.00	131,208.00	133,539.00	139,252.00	142,125.00	
Sales Tax	6,008.81	6,130.00	6,489.20	*6,560.40	6,676.95	6,962.60	7,106.25	
Total	126,185.06	128,730.00	136,273.20	137,768.40	140,215.95	146,214.60	149,231.25	
Make	Samsung	Komatsu	Volvo	John Deere	Fiat Allis	Cat	Kawasaki	
Model	SL150-2	WA320-3L	L90C	624H	FR 140.2	938G	70ZIV -2	
Option 1 - Waste Disposal	4,565.00	3,500.00	4,000.00	6,772.00	3,500.00	4,887.00	3,300.00	
Option 2 - Warranty	3,793.00	2,200.00	4,700.00	1,440.00	2,699.97	Inc. in Bid	4,200.00	
				*Mistake on				
				Van Lott's				
				Bid Form				
Delivery	30 Days	8 - 9 Weeks	60 Days	2 - 3 Weeks	30 - 60 Days	80 - 150 Days	8 - 10 Weeks	
Attended Bid Opening: Bob Owens - Pioneer Mach.; Chad Dickert - Van Lott; L. Davis, J. Hirst, M. Dillard, A. Albertson - Oconee County								

BID NO. 98-02

(Use this number on envelopes and all related correspondence.)

**BID FORM
OCONEE COUNTY PURCHASING DEPARTMENT
201 W. MAIN STREET, WALHALLA, SC 29691**

The Mitchell Distributing Company
submits herewith our Bid in response to bid request number shown above, and in compliance with the description(s) and/or specification(s) attached hereto for rubber tire wheel loader for Solid Waste

Base Bid \$ 122,600.00

Make Komatsu Model WA320-3L

S. C. Sales (5%) 6,130.00

TOTAL \$ 128,730.00

Option 1: Waste disposal arrangement (please attach your desc) \$ Add \$3,500.00

Option 2: Extended 3 yr. powertrain warranty \$ 2,200.00

The above stated bid is based on all applicable specifications, drawings, etc. associated with this bid and the following additional Addenda issued subsequent to the basic specifications and/or drawings.

NOTE TO BIDDER: List all Addenda with dates of any issued. If no additional Addenda are issued, write the word "NONE".

Addendum Number	Date
<u>None</u>	<u></u>
<u></u>	<u></u>

Bid shall include delivery to location stated on Bid Notice. Show any exception, deviation, extra computation, or information on Bid Supplemental Form attached hereto.

Completion/Delivery Date ARO: 8-9 weeks

Bidding Organization: Mitchell Distributing Company

Mailing Address: P.O. Box 1777 - Columbia, SC 29202

Signature of Bidders Representative 

Title: Sales Office Manager Date: 7-15-98

Telephone: 803-794-6150 Fax: 803-739-8889

BID NO. 98-02

(Use this number on envelopes and all related correspondence.)

**BID FORM
OCONEE COUNTY PURCHASING DEPARTMENT
201 W. MAIN STREET, WALHALLA, SC 29691**

The L.B. Smith, Inc.
submits herewith our Bid in response to bid request number shown above, and in compliance with the description(s) and/or specification(s) attached hereto for rubber tire wheel loader for Solid Waste

Base Bid \$ 129,784.00

Make Volvo Model L90C

S. C. Sales (5%) 6,489.20

TOTAL \$ 136,273.20

Option 1: Waste disposal arrangement (please attach your desc) \$ 4,000.00

Option 2: Extended 3 yr. powertrain warranty \$ 4,700.00

The above stated bid is based on all applicable specifications, drawings, etc. associated with this bid and the following additional Addenda issued subsequent to the basic specifications and/or drawings.
NOTE TO BIDDER: List all Addenda with dates of any issued. If no additional Addenda are issued, write the word "NONE".

Addendum Number	Date
<u>#1</u>	<u>06-19-98</u>

Bid shall include delivery to location stated on Bid Notice. Show any exception, deviation, extra computation, or information on Bid Supplemental Form attached hereto.

Completion/Delivery Date ARO: 60 days ARO

Bidding Organization: L.B. Smith, Inc.

Mailing Address: P.O. Box 1453 Columbia, SC 29202

Signature of Bidders Representative: *[Signature]*

Title: Salesman Date: 7-10-98

Telephone: 1-800-541-5744 Fax: 803-791-9920

BID NO. 98-02

(Use this number on envelopes and all related correspondence.)

**BID FORM
OCONEE COUNTY PURCHASING DEPARTMENT
201 W. MAIN STREET, WALHALLA, SC 29691**

The VAN LOTT, INC.
submits herewith our Bid in response to bid request number shown above, and in compliance with the description(s) and/or specification(s) attached hereto for rubber tire wheel loader for Solid Waste

Base Bid \$ 131,208.00

Make DEERE Model 624H

S. C. Sales (5%) \$ 6,460.00

TOTAL \$ 137,668.00

Option 1: Waste disposal arrangement (please attach your desc) \$ 6,772.00

Option 2: Extended 3 yr. powertrain warranty 5000 HR. \$ 1,440.00

The above stated bid is based on all applicable specifications, drawings, etc. associated with this bid and the following additional Addenda issued subsequent to the basic specifications and/or drawings.
NOTE TO BIDDER: List all Addenda with dates of any issued. If no additional Addenda are issued, write the word "NONE".

Addendum Number	Date
<u>NONE</u>	<u> </u>
<u>NONE</u>	<u> </u>

Bid shall include delivery to location stated on Bid Notice. Show any exception, deviation, extra computation, or information on Bid Supplemental Form attached hereto.

Completion/Delivery Date ARO: APPROXIMATELY 2-3 WEEKS ARO

Bidding Organization: VAN LOTT, INC.

Mailing Address: 3464 SUNSET BLVD., WEST COLUMBIA, S.C. 29169

Signature of Bidders Representative: *Chad Duff*

Title: TARGET ACCTS. REPRESENTATIVE Date: JULY 15, 1998

Telephone: 803-794-9340 Fax: 803-794-9346

BID NO. 98-02

(Use this number on envelopes and all related correspondence.)

**BID FORM
OCONEE COUNTY PURCHASING DEPARTMENT
201 W. MAIN STREET, WALHALLA, SC 29691**

The PIIONEER MACHINERY INC.
submits herewith our Bid in response to bid request number shown above, and in compliance with the description(s) and/or specification(s) attached hereto for rubber tire wheel loader for Solid Waste

Base Bid \$ 133,539.00

Make FIATALLIS Model FR140.2

S. C. Sales (5%) 6,676.95

TOTAL \$ 140,215.95

Option 1: Waste disposal arrangement (please attach your desc) \$ 3,500.00

Option 2: Extended 3 yr. powertrain warranty \$ 2,699.97 3 YR/5000 HOURS

The above stated bid is based on all applicable specifications, drawings, etc. associated with this bid and the following additional Addenda issued subsequent to the basic specifications and/or drawings.

NOTE TO BIDDER: List all Addenda with dates of any issued. If no additional Addenda are issued, write the word "NONE".

Addendum Number	Date
<u>1</u>	<u>6/19/98</u>

Bid shall include delivery to location stated on Bid Notice. Show any exception, deviation, extra computation, or information on Bid Supplemental Form attached hereto.

Completion/Delivery Date ARO: 30-60 DAYS A.R.O.

Bidding Organization: PIIONEER MACHINERY INC

Mailing Address: 405 OAK ROAD, P.O. Box 1098-PIEDMONT, SC 29673

Signature of Bidders Representative: 

Title: TERRITORY MANAGER Date: 7/15/98

Telephone: (864) 269-7995 Fax: (864) 269-4937

BID NO. 98-02

(Use this number on envelopes and all related correspondence.)

**BID FORM
OCONEE COUNTY PURCHASING DEPARTMENT
201 W. MAIN STREET, WALHALLA, SC 29691**

The Blanchard Machinery Co.
submits herewith our Bid in response to bid request number shown above, and in compliance with the description(s) and/or specification(s) attached hereto for rubber tire wheel loader for Solid Waste

Base Bid \$ 139,252.00

Make Cat Model 938G

S. C. Sales (5%) 300.00

TOTAL \$ 139,552.00

Option 1: Waste disposal arrangement (please attach your desc) \$ 4,887.00

Option 2: Extended 3 yr. powertrain warranty \$ Included in Bid

The above stated bid is based on all applicable specifications, drawings, etc. associated with this bid and the following additional Addenda issued subsequent to the basic specifications and/or drawings.

NOTE TO BIDDER: List all Addenda with dates of any issued. If no additional Addenda are issued, write the word "NONE".

Addendum Number	Date
<u> </u>	<u> </u>
<u> </u>	<u> </u>

Bid shall include delivery to location stated on Bid Notice. Show any exception, deviation, extra computation, or information on Bid Supplemental Form attached hereto.

Completion/Delivery Date ARO: 80 - 150 days

Bidding Organization: Blanchard Machinery Co.

Mailing Address: 224 Neely Ferry Rd.

Signature of Bidders Representative: *Barry Sullivan*

Title: Sales Representative Date: July 15, 1998

Telephone: (864) 963-3645 Fax: (864) 963-2063

BID NO. 98-02

(Use this number on envelopes and all related correspondence.)

**BID FORM
OCONEE COUNTY PURCHASING DEPARTMENT
201 W. MAIN STREET, WALHALLA, SC 29691**

The INTERSTATE EQUIPMENT COMPANY
submits herewith our Bid in response to bid request number shown above, and in compliance with the description(s) and/or specification(s) attached hereto for rubber tire wheel loader for Solid Waste

Base Bid \$ 142,125.00

Make KAWASAKI Model 70ZIV-2

S. C. Sales (5%) 7,106.25

TOTAL \$ 149,231.25

Option 1: Waste disposal arrangement (please attach your desc) \$ 3,300.00 *

Option 2: Extended 3 yr. powertrain warranty 3 YEAR/5000 HOUR \$ 4,200.00

The above stated bid is based on all applicable specifications, drawings, etc. associated with this bid and the following additional Addenda issued subsequent to the basic specifications and/or drawings.
NOTE TO BIDDER: List all Addenda with dates of any issued. If no additional Addenda are issued, write the word "NONE".

Addendum Number	Date
_____	_____
_____	_____

Bid shall include delivery to location stated on Bid Notice. Show any exception, deviation, extra computation, or information on Bid Supplemental Form attached hereto.

Completion/Delivery Date ARO: 8 - 10 WEEKS

Bidding Organization: INTERSTATE EQUIPMENT COMPANY

Mailing Address: 122 GARDNERS TERRACE ROAD, WEST COLUMBIA, SC 29172

Signature of Bidders Representative: G. MARK DANTZLER 

Title: VICE PRESIDENT Date: 7/13/98

Telephone: (803) 794-7400 Fax: (803) 739-0868

* INCLUDES BELLY GUARD & EASY CLEAN RADIATOR

COPY

FEDDER, CAIN & NORTON, L.L.P.
ATTORNEYS AT LAW
339 BYPASS 123 • POST OFFICE BOX 698
SENECA, SC 29679
TELEPHONE (864)882-6608
FACSIMILE (864)882-7182

Timothy M. Cain, P.A.
Bradley A. Norton

W.J. Fedder (Of Counsel)

July 22, 1998

Ms. Opal Green
County Council Clerk
Oconee County Mail Room
Walhalla, SC 29691

Re: Property Question
Estate of William B. Earle, Jr.

Dear Opal:

Pursuant to the County Council meeting held on July 21, 1998, I would appreciate your referring the above-referenced matter to the appropriate County Council Committee for review and recommendation to full Council. I would think this matter would be appropriate for the Committee that deals with contracting, real property, etc.

Enclosed please find a copy of my file in this matter for review by the Committee.

In summary, it appears that the County purchased a tract adjacent to the Law Enforcement Center from the Earle family estate in October of 1990. The plat which describes the property purchased by the County shows a cross-hatched rectangle inside the property purchased. Apparently, it is a part of a grave. The property purchased is adjacent to a cemetery.

It appears that at some point in time prior to the purchase by the County, the Earle family sold this burial plot to one or some family with the last name of Harden.

William B. Earle, Jr. is now deceased and Walhalla attorney Theodore A. Snyder, Jr. has been appointed as Personal Representative of this estate. Mr. Snyder has suggested several possible ways to resolve this problem, one of which would be for the County to Quit-Claim this grave site or burial plot back to the Earle estate. This is the approach that I would recommend the County follow and Mr. Snyder has agreed to have the area in question surveyed so that a plat may be prepared for reference in a Quit-Claim Deed from the County to the Earle estate.

Ms. Opal Green
July 22, 1998
Page 2

I am enclosing a copy of my file in this matter so that this may be provided to the Committee. I would appreciate your notifying Mr. Snyder of the date and time of any hearing scheduled to consider this matter so that he may attend if he wishes to do so. His mailing address is P.O. Box 40, Walhalla, SC 29691 and his telephone number is (864) 638-5421. Should there be any questions, please advise.

Thanking you for your attention to these matters, I remain,

Sincerely,

FEDDER, CAIN & NORTON, L.L.P.



Timothy M. Cain

TMC/mdb
Enclosures

cc: Theodore A. Snyder, Jr., Esquire
Mr. Harrison E. Orr

FEDDER, CAIN & NORTON, L.L.P.
ATTORNEYS AT LAW
339 BYPASS 123 • POST OFFICE BOX 698
SENECA, SC 29679
TELEPHONE (864)882-6608
FACSIMILE (864)882-7182

COPY

Timothy M. Cain, P.A.
Bradley A. Norton

W.J. Fedder (Of Counsel)

July 8, 1998

Theodore A. Snyder, Jr.
Attorney at Law
P.O. Box 40
Walhalla, SC 29691

Re: Estate of William B. Earle, Jr.

Dear Ted:

This will acknowledge receipt of your letter of July 3, 1998.

My recollection is that this issue came up shortly after my appointment as County Attorney after the transaction was closed. I remember talking with Wayne Garland a couple of times about this survey but this was about the time that Wayne was getting out of the surveying business, and I don't remember what we came up with. Surprisingly, I was able to locate my file and found a letter from me to Mr. Crain forwarding your letter. However, I do not recall getting any instructions from then Supervisor Crain concerning what to do with this property.

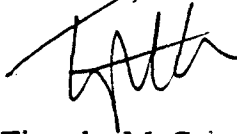
In any event, I am forwarding a copy of your letter to Supervisor Harrison Orr. It may be that he will want his right-of-way technician to review this matter and make a recommendation for approval by the County Council.

After a brief review of the letter and documents which you forwarded to me, it seems to me that perhaps the easiest and simplest way to clear this up would be for the County to reconvey the subject plot back to the Estate by Quit-Claim Deed. I don't think the County will want to own part of a gravesite. Let me know if you feel we need to have a survey done of the area in question and, if so how you would suggest we handle the cost of same.

Thanking you for your attention to this matter, I remain,

Sincerely,

FEDDER, CAIN & NORTON, L.L.P.



Timothy M. Cain

TMC/mdb

cc: Mr. Harrison Orr

COPY

THEODORE A. SNYDER, JR.
ATTORNEY AT LAW
P.O. BOX 40
WALHALLA, S.C. 29691
864/638-5421

3 July 1998

Timothy M. Cain
P.O. Box 698
Seneca, S.C. 29679-0698

Re: County real property
adjoining West View Cemetery

Dear Tim:

As you probably know, I am the Personal Representative of the Estate of William B. Earle, Jr. While this estate is open, we have the last easy opportunity to clarify and perhaps correct his conveyance of 3.106 acres to the County in 1990.

The history of the transaction was this:

1. By deed dated 5 October 1990, recorded in Deed Book 632 at page 195, William B. Earle, Jr. as Trustee Under the Will of William B. Earle, Sr. and as attorney in fact for Lela P. Earle conveyed 3.106 acres to Oconee County. This is the lot adjoining the Law Enforcement Center. A copy of the deed is attached.

2. The deed was made with reference to a plat recorded in Plat Book A69 at page 5. The plat shows a cross-hatched rectangle inside the lot, near its northwest corner. A copy is attached.

3. Sometime after the conveyance to the County, I discovered that the cross-hatched rectangle was a cemetery plot that had been sold to a person named Harden. There is no recorded deed to Harden that I can find. There are no Earle records showing anything other than the last name. The Earle records do show that the lot was sold to Harden. I wrote you about this by letter dated 7 October 1992. A copy is attached. Also enclosed is a copy of a portion of the cemetery map kept by the Earles, showing the size of the intrusion, and the name "Harden" written in.

4. You responded by letter dated 14 October 1992 that you would put the matter on the Council agenda, A copy of your letter is attached.

Since then, there has been no further action that I am aware of.

It appears that the burial plot sold to Harden is inside the perimeter of the 3.106 acres sold to the County. My conclusion is that the Earles have sold the Harden plot twice, once to Harden, and a second time to the County. Since the Harden deed is not recorded, a title examination would not have shown the double conveyance. The plat did however show the problem.

A field survey shows the following. At the location shown on the various plats, there is a plot enclosed in a concrete border, the outside dimensions of which are 30 feet 3 inches by twenty feet, four inches. The concrete border is approximately 14 inches wide. In the center of this enclosure is a stone monument bearing the name "Harden." Going by measurements on the old cemetery plat, this enclosure combines cemetery lot No. 8 and the 10'x20' plot which is inside the County lot. City of Walhalla records show that Lot 8 was sold to Alice H. Harden. That deed is not recorded, either. Headstones and footstones indicate three burials, all in the Lot No. 8 portion of the enclosure. Those buried are Dee Harden, Mary Alice Harden, and an infant daughter of those two.

It appears there are several ways to clear up this title flaw. As Personal Representative of the Estate of William B. Earle, Jr., I could execute a correction deed to the County, specifically excluding the plot. Or, the County could re-convey the Harden plot to the Estate, in which case, as after-acquired property, its interest would flow on to Harden.

A third possibility would be to advertise for Alice H. Harden, assuming she bought the 10'x 20' plot, and have the County quit-claim its interest in the plot back to her, or her heirs.

In each case, provision would have to be made for the 4 foot walkways on either side of the plot.

Please digest this, and let me have your thoughts on how to clear up this conflict.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ted", written in dark ink.

THEODORE A. SNYDER, JR.

THEODORE A. SNYDER, JR.
ATTORNEY AT LAW
208 WEST MAIN STREET
WALHALLA, SOUTH CAROLINA 29691
803/638-5421

COPY

7 October 1992

Timothy M. Cain
Oconee County Attorney
P.O. Box 698
Seneca, SC 29679-0678

Dear Tim:

I represent the Estate of Lela P. Earle.

Mrs. Earle's late husband, William B. Earle, Sr., developed West View Cemetery in Walhalla. When he died some unsold cemetery lots descended to Mrs. Earle and the trustee of a trust under his will. Mr. Earle's heirs also owned a lot adjoining the Law Enforcement Center.

The lot adjoining the Law Enforcement Center was sold to Oconee County 5 October 1990. See Deed Book 632, page 195. Copy attached.

In trying to find out which cemetery lots were still unsold, I had William B. Earle, Jr. bring me the original plat.

The plat shows that the Earles, at some time, sold a 10' X 20' cemetery lot to Harden. That deed is not recorded, and I cannot determine any more from my client. This 10' X 20' lot is encompassed within the lot sold to the County.

I called Buddy Hawk to ask if he knew anything about it and he said the County never intended to buy a used grave site. He says he told Wayne Garland to exclude the grave.

The plat by which the County purchased shows a cross-hatched area adjoining the cemetery, but does not exclude it.

Copies of the cemetery plat and the Garland plat are enclosed. The 10' X 20' addition to the cemetery plat is not recorded, so there is nothing on the public record showing this lot is on the county land.

I would like to get this cleared up before I close the Lela P. Earle Estate.

It appears to me that the easiest way would be for Wayne to revise the plat to exclude the cemetery lot, and for the present successors to the Earle property to execute a correction deed to confirm that the cemetery lot was not supposed to be conveyed to Oconee County.

Please let me have your view and suggestions of how to resolve this.

Sincerely,

THEODORE A. SNYDER, JR.

TAS/am

Enclosure

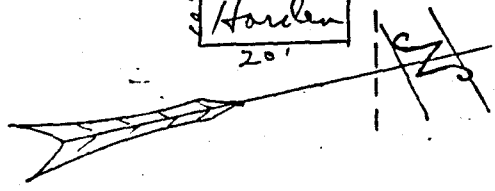
COPY

South Pine Street

1740 57
1740 57
1740 57

49 20'	W. H. JONES 41	W. B. EARLE 33	W. B. EARLE Paul Smith 5	Barbara K. Brown 1	W. B. KELLY 6	E. E. REBE 1
50 20'	O. C. COYPS 42	T. R. S. 34 HOLDEN	James 26 C. Andy	Neck 18 Butts	Thos B. 10 Boyle	
HATTIE K. RIDLEY 51 20'	M. H. C. ROULAND 53 J. A. GARDNER	Mrs W. King H. F. King 54 MRS B. A. LEE 55	Howard 27	H. G. 19 WESTMORE LAND	Virgil 11 Rudman	Off 28 29
52 20'	Knover 44 C. Brewster	36C 36B 37A 37B 37C 37D 37E 37F 37G 37H 37I 37J 37K 37L 37M 37N 37O 37P 37Q 37R 37S 37T 37U 37V 37W 37X 37Y 37Z	T. E. I. 28 Brewster	COLEY W. 20 GARRETT	T. E. I. 12 PATERSON	Wm 4 Sawyer
53 20'	FRANK 45 WINCHESTER		E. A. 29 S. PATERSON	F. D. 21 SMITH	R. HENRY 13 SMITH	T. E. 5 Smith
54 20'	46	Ernest 38 Kelley	30	Henry B. Margent 22 Schuler	Jack 24 Zwick	Wm. L. 6 Padgett
55 20'	Kays 47 Town	1045 39 Town	31	23	15	7
56 20'	48 Town	40 Town	32 Town	24 Town	16 Town	8 Town

W. B. EARLE



BRANDT, FEDDER, GRAHAM & CAIN

(A partnership including professional associations)

ATTORNEYS AT LAW

339 BYPASS 123, P.O. BOX 698
SENECA, SOUTH CAROLINA 29679
(803) 882-6608

COPY

LARRY C. BRANDT, P.A.
LINDSEY O. GRAHAM
TIMOTHY M. CAIN

205 WEST MAIN STREET
P.O. BOX 5830
WALHALLA, SC 29691
(803) 638-5406

OF COUNSEL:
W. J. FEDDER

October 14, 1992

Theodore A. Snyder, Jr., Esquire
Attorney at Law
208 W. Main Street
Walhalla, South Carolina 29691

Re: Earle Estate/Cemetery Lot

Dear Ted:

I received your letter dated October 7, 1992 and have forwarded a copy to Supervisor Norman Crain for review. I also talked with Buddy Hawk and he told me the same thing he told you.

I will see if Norman wants to put this on the Council Agenda for approval of a corrective deed and let you know.

Sincerely,

BRANDT, FEDDER, GRAHAM & CAIN


Timothy M. Cain

TMC/trl

cc: Mr. Norman Crain

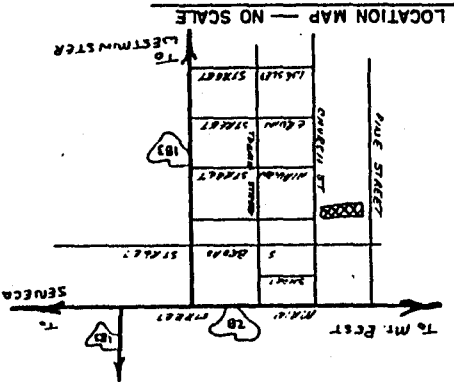
PROPERTY OF LELA P. EARLE
CITY OF WALHALLA - WAGNER TOWNSHIP
OCONEE COUNTY, SOUTH CAROLINA

4.011 ACRES TOTAL

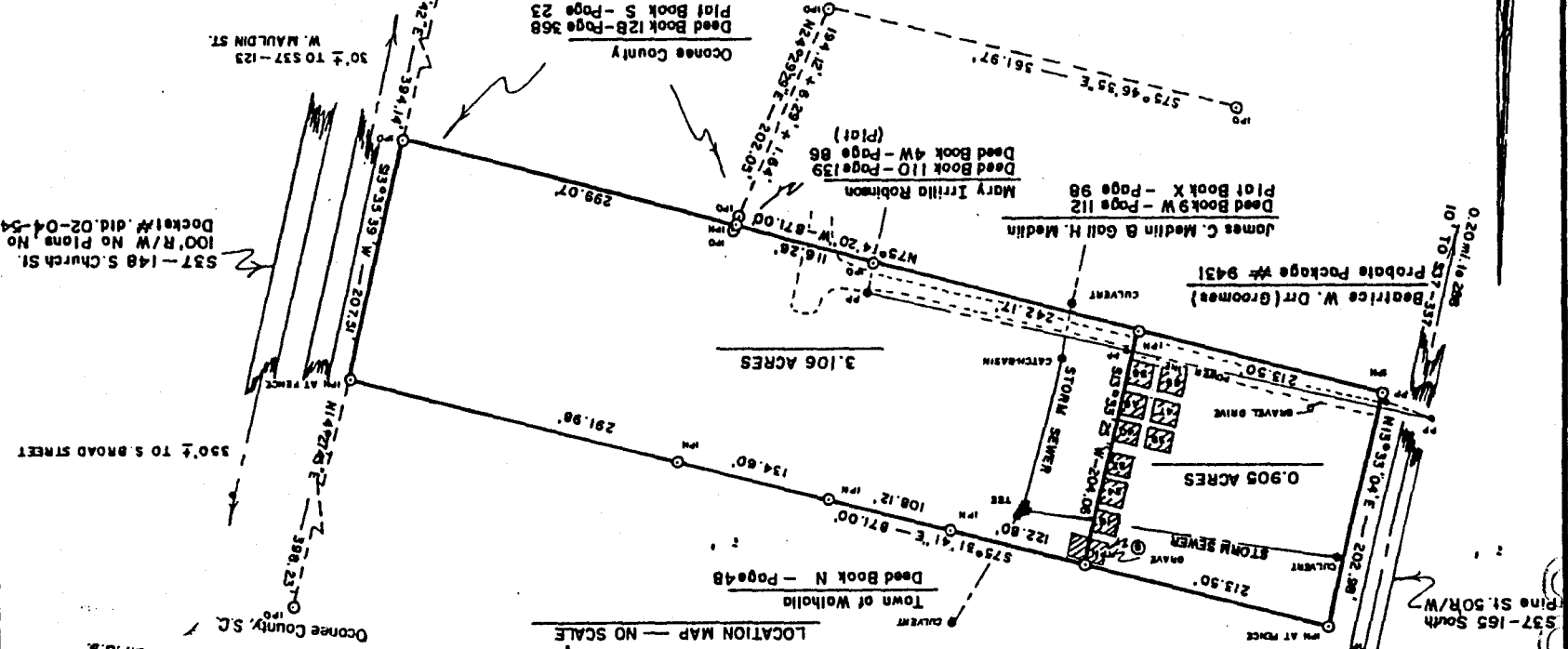
REC
 009655

16 MAY 1990
 JOB NO 90-4158
 SCALE: 1"=100'
 200' 150' 100' 50' 0'

Recorded this 5 day of Oct 1990
 A.D. 1990 in Vol. 169
 Page 3 and Certified:
 Lela P. Earle
 C.C.O.P.G.S.



BUSINESS RECORDS CORPORATION



NOTE: LOTS 8, 16, 24, 32, 39, 40, 47, 48, 55, 56
 DEED TO CITY OF WALHALLA
 DEED BOOK 7 M - PAGE 42
 PLAT BOOK H - PAGE 50

Oct 5 1990
 LELA P. EARLE
 CLERK OF COURT

REFERENCE: EARLE
 DEED BOOK 5E - PAGE 305 (PLAT)
 DEED BOOK 15T - PAGE 324
 UNRECORDED PLAT BY JOHN B. EARLE

TAX MAP NO. 500-19-01-016
 P/O TAX MAP NO. 500-19-01-002

"I hereby certify that the ratio of precision of the field survey is 1/10000 as shown hereon."
 W. R. L. S. 5298

COPY

BRANDT & FEEDER
P. O. BOX 5830
205 WEST MAIN ST.
WALHALLA, S.C. 29691

PCB
009655

BOOK 632 195

STATE OF SOUTH CAROLINA)
) TITLE TO REAL ESTATE
COUNTY OF OCONEE)

KNOW ALL MEN BY THESE PRESENTS, That We, WILLIAM B. EARLE, JR., INDIVIDUALLY AND AS TRUSTEE UNDER THE WILL OF THE LATE WILLIAM B. EARLE, SR., AND LELA P. EARLE, BY HER ATTORNEY-IN-FACT, WILLIAM B. EARLE, JR., in the State and County aforesaid, for and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS AND THE PREMISES to us paid by OCONEE COUNTY, SOUTH CAROLINA, in the State aforesaid (the receipt whereof is hereby acknowledged), have granted, bargained, sold and released, and by these presents do grant, bargain, sell and release unto the said OCONEE COUNTY, SOUTH CAROLINA, its successors and assigns forever, the following described property:

All that certain piece, parcel or tract of land situate, lying and being in the City of Walhalla, Wagener Township, Oconee County, South Carolina, containing 3.106 acres, more or less, as shown and more fully described on that plat of survey prepared by Wayne R. Garland, R.L.S. #5298, dated May 16, 1990 and recorded in Plat Book 169, at Page 5, records of Oconee County, South Carolina.

10.00
10.00 plat

This conveyance is made subject to that easement and/or right-of-way for a driveway that presently exists on the premises along a portion of the southern boundary of the property as shown on the plat of Wayne R. Garland as referenced above.

This is a portion of that property conveyed to the William B. Earle, Sr. Trust for the benefit of Lela P. Earle during her lifetime by the Will of the late William B. Earle, Sr. as evidenced by the Devise/Descent of Real Estate dated February 13, 1980 and recorded February 15, 1980, in Deed Book 13-T, at Page 324, and Probate Package #10,913, records of Oconee County, South Carolina.

GRANTEES ADDRESS:
County Mailroom
Walhalla, SC 29691

THIS PROPERTY DESIGNATED AS
MAP 500 BLOCK 19-01 PARCEL 016
ON OCONEE COUNTY TAX MAPS
Paul A. Williams
OCONEE COUNTY ASSESSOR

CLERK OF COURT
SALE C. SMITH
OCT 5 4 54 PM '90
S.C.
OCONEE COUNTY
FILED FOR RECORD

4-90-195-5
Oct 632
C.C.O.P.G.S.
Oconee County, SC

BOOK 632 196

TOGETHER with all and singular, the rights, members, hereditaments and appurtenances to the said premises belonging or in anywise incident or appertaining.

TO HAVE AND TO HOLD all and singular the premises before mentioned unto the said OCONEE COUNTY, SOUTH CAROLINA, its Successors and Assigns forever.

AND We, WILLIAM B. EARLE, JR., INDIVIDUALLY AND AS TRUSTEE UNDER THE WILL OF THE LATE WILLIAM B. EARLE, SR., AND LELA P. EARLE, BY HER ATTORNEY-IN-FACT, WILLIAM B. EARLE, JR., do hereby bind ourselves, our Heirs, Executors and Administrators to warrant and forever defend all and singular the said premises unto the said OCONEE COUNTY, SOUTH CAROLINA, its Successors and Assigns, against ourselves and our Heirs, Successors and Assigns, and against every person whomsoever lawfully claiming, or to claim, the same or any part thereof.

WITNESS our hands and seals this 5th day of October, in the year of our Lord one thousand nine hundred and ninety and in the two hundred fourteenth year of the Sovereignty and Independence of the United States of America.

Signed, Sealed and Delivered in the presence of:

William B. Earle, Jr.
WILLIAM B. EARLE, JR.,
INDIVIDUALLY AND AS TRUSTEE
UNDER THE WILL OF THE LATE
WILLIAM B. EARLE, SR.

Lela P. Earle by William B. Earle, Jr.

LELA P. EARLE, BY HER
ATTORNEY-IN-FACT, WILLIAM B.
EARLE, JR., AS PER DURABLE
POWER OF ATTORNEY RECORDED IN
DEED BOOK 553, PAGE 277,
RECORDS OF OCONEE COUNTY,
SOUTH CAROLINA

POOR ORIGINAL

632 197

STATE OF SOUTH CAROLINA)
)
COUNTY OF OCONEE)

PROBATE

PERSONALLY appeared before me the undersigned witness and made oath that (s)he saw the within named grantors sign, seal and as the grantors' act and deed' deliver the within written instrument, and that (s)he with the other witness subscribed above, witnessed the execution thereof.

SWORN TO BEFORE ME THIS 5th
DAY OF October, 1990.

Carlynn ...

Carlynn ...
NOTARY PUBLIC FOR SOUTH CAROLINA
MY COMMISSION EXPIRES: 12/31/90

Recorded this 10th
day of Oct 1990
Book 90 Page 4392
Fee _____
B. F. Williams
Auditor
Oconee County, S.C.



NORTHLAND
CABLE
TELEVISION

615 North Pine Street
P.O. Box 833
Seneca, South Carolina 29678
(864) 882-0002
Fax (864) 882-4490

Mr. Harrison Orr
Oconee County Administration
415 S. Pine Street
Walhalla, SC 29691

July 22, 1998

Harrison,

Election season is just around the corner and we are already making plans. In order to offer the most valuable service to our subscribers and the community, we have partnered with the League of Women Voters to jointly host a candidates forum in Oconee County. We intend to televise the event through tape delay. We are also coordinating extensive newspaper and radio coverage.

That brings me to the reason for writing. After seeing how well the Pine Street school has turned out, it occurred to me that the council chambers would be an ideal location to host this event. The date we have tentatively selected is Wednesday, October 7. We would need access to the room at 5 pm. and would be finished by approximately 10 p.m.

We believe this event is an excellent opportunity for the public to meet the candidates and will prove to be a valuable service. We at Northland believe strongly enough in this project that we are donating airtime and a good portion of the tele-production expenses. I ask the county make a similar commitment and donate the use of the beautifully revitalized council chambers.

Please let me know as soon as possible if this date is acceptable.

I look forward to working with you on this matter.

Sincerely,

Bill Swain
News Director,
Northland Cable News